IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY EIGHTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO.24428 of 2004

Between:

Smt. K. Sharada, w/o Kishan, Occupation Sarpanch,

Resident of Chebarthi village, Jagadevpur Mandal, Medak District.

..... PETITIONER

AND

1. The Commissioner, Panchayat Raj, Panchayatraj Bhavan, Himayathnagar, Hyderabad.

2. The District Collector, Panchayat Raj Wing, Medak at Sangareddy.

....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the order in Proceedings No.1141/2004/A2 PAN, dated 29.11.2004 passed by the 2nd respondent as illegal, arbitrary.

Counsel for the Petitioner: MR.B.VIJAYSEN REDDY

Counsel for the Respondents: GP FOR PANCHAYAT RAJ & RURAL DEV.

The Court, at the admission stage, made the following:

ORDER:

The petitioner challenges the impugned order dated 29.11.2004 of the 2nd respondent-District Collector (Panchayat Raj Wing) in Proceedings No.1141/2004/A2 PAN, whereby the petitioner was suspended from the post of Sarpanch, Chebarthy village, Jagadevpur Mandal, Medak District, for certain financial irregularities alleged to have been committed by her. It is stated that against the said impugned order the petitioner has preferred an appeal along with stay petition before the 1st respondent-Commissioner, Panchayat Raj on 18.12.2004, but, the 1st respondent has not passed any orders so far. Hence, the writ petition.

Heard the learned counsel for petitioner and learned Government Pleader for Panchayat Raj. Both counsel agreed to dispose of the writ petition at the admission stage itself with a direction to the 1st respondent-Commissioner to dispose of the appeal filed by the petitioner.

Having regard to the facts and circumstances of the case, without going into the merits of the matter, I deem it appropriate to dispose of the writ petition with a direction to the 1st respondent-Commissioner to consider the appeal and stay application, said to have been filed by the petitioner, and pass appropriate orders in

accordance with law. Till then status quo obtaining as on today shall be maintained.

With the above direction, the writ petition is disposed of at the admission stage. No costs.

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(N.V. RAMANA, J)

Date: 28.12.2004

Nsr/Tvk

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Commissioner, Panchayat Raj, Panchayatraj Bhavan,

Himayathnagar, Hyderabad.

2. The District Collector, Panchayat Raj Wing, Medak at Sangareddy.

3. Two CCs to GP for Panchayat Raj and Rural Development, High Court

of AP, Hyderabad (OUT)

4 Two CD copies.